

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF TEXAS  
DEL RIO DIVISION

United States of America

vs.

(1) Daniel McHazlett

§  
§  
§  
§  
§

NO: DR:11-CR-01172(1)-AM

**ORDER OF DETENTION PENDING TRIAL**

In accordance with the Bail Reform Act, 18 USC 3142(f), a detention hearing has been held. I conclude that the following facts require the detention of the defendant pending trial in this case.

**I. Findings of Fact**

I find that the credible testimony and information submitted at the hearing establishes by clear and convincing evidence that there is probable cause to believe that the Defendant committed the offense alleged in the Indictment, violation of **21:846 Conspiracy to Possess with Intent to Distribute Cocaine; 21:841 Possession of Cocaine with Intent to Distribute; 21:924 Possession of Firearm in Furtherance of a Drug Trafficking Crime**, for which a sentence up to forty years in prison is prescribed.

Don McCune of the United States Attorney's Office was present and Robert Garza representing the Defendant was present.

The pretrial services report indicates that Defendant is a forty-three year old United States citizen. Defendant is a residence of Crystal City, Texas, and has four children. Defendant is currently employed at Taco Express.

Defendant has a minimal criminal history Defendant admits to current drug use.

Based on the information in the pretrial services report, Defendant's pending criminal proceedings and Defendant's current weapon charge, the Court finds by clear and convincing evidence that the Defendant poses a serious danger to the community. Because of the potential sentence if convicted, the Court concludes that the Defendant poses a serious risk of flight. Additionally the Court concludes there are no conditions or combination of conditions that will reasonably assure the appearance of the Defendant as required or to ensure the safety of the community.

II. Directions Regarding Detention

The Defendant is committed to the custody of the Attorney General or his designated representative for confinement in a corrections facility separate, to the extent practical, from persons awaiting or serving sentences or being held in custody pending appeal. The defendant shall be afforded a reasonable opportunity for private consultation with defense counsel. On order of the Court of the United States or on request of an attorney for the Government, the person in charge of the corrections facility shall deliver the Defendant to the United States Marshal for the purpose of an appearance in connection with a court proceeding.

Signed this 15th day of July, 2011

A handwritten signature in black ink, appearing to read 'V.R. Garcia', is written over a horizontal line.

VICTOR ROBERTO GARCIA  
U.S. MAGISTRATE JUDGE